

HOUSE BILL 1164
By Buck

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, relative to certain offenses
involving controlled substances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by
adding the following as a new section:

Section 39-17-452.

(a) In the prosecution of a person for a violation of this part involving the
manufacture of amphetamine or methamphetamine, possession of more than five (5)
grams of ephedrine, its salts, optical isomers or salts of optical isomers, or more than
nine (9) grams of pseudoephedrine, its salts, optical isomers or salts of optical isomers,
in combination with two (2) or more objects constituting drug paraphernalia that are used
to manufacture, compound, produce, prepare, test or analyze amphetamine or
methamphetamine or any of their analogues, is prima facie evidence that such person
intended to manufacture amphetamine or methamphetamine or any of their analogues.

(b) This section shall not apply if possession was by a person authorized by this
part and Tennessee Code Annotated, title 53, chapter 11, parts 3 and 4, to dispense,
prescribe, manufacture or possess the controlled substance in question.

SECTION 2. This act shall take effect on July 1, 2005, the public welfare requiring it.